

TOWNSHIP OF OHIO

ORDINANCE No. 115

AN ORDINANCE OF THE TOWNSHIP OF OHIO, COUNTY OF ALLEGHENY AND THE COMMONWEALTH OF PENNSYLVANIA, AMENDING THE OHIO TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, SUBSECTION 301.2 (e) PERMITTING THE TERMINUS OF A DEAD END STREET TO HAVE A MINIMUM RADIUS OF A RIGHT-OF-WAY OF FIFTY (50) FEET, AMENDING SUBSECTION 302.2 (b) DELETING LANGUAGE THAT STEEP AREAS HAVE SLOPES OF TWENTY-FIVE (25%) PERCENT OR MORE; ADOPTING SUBSECTION 410.1 (d) AND (e) PROVIDING THAT A SUBDIVIDER OR DEVELOPER MAY DEPOSIT CASH, IRREVOCABLE LETTERS OF CREDIT OR SECURITIES IN THE AMOUNT OF ONE HUNDRED TEN (110%) PERCENT OF THE CONSTRUCTION VALUES IN LIEU OF A PERFORMANCE BOND; PROVIDING THAT THE BOARD OF SUPERVISORS MAY ALLOW THE SUBDIVIDER OR DEVELOPER TO ENTER INTO AN ESCROW AGREEMENT WITH THE TOWNSHIP IN LIEU OF A PERFORMANCE BOND, CASH, IRREVOCABLE LETTERS OF CREDIT OR SECURITIES.

SECTION 1.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Ohio Township, Allegheny County, Pennsylvania, under the authority of the Act of July 31, 1968, P.L. 805, Art. V, VII, §501, §702, as amended, and it is hereby ordained and enacted by and with the authority of the same, that Ohio Township Ordinance No. 108, adopted July 9, 1979 is hereby amended as follows:

ARTICLE III - SUBDIVISION DESIGN STANDARDS.

SECTION 301.2(e). Cul-de-sacs shall be prohibited except as stubs to permit future street extension into adjoining tracts or when designed as cul-de sacs of less than one thousand (1,000) feet in length. The terminus of a dead end street shall be a circular turnaround having a minimum radius to the outside edge of the paving or curb of forty-

five (45) feet and a right-of-way having a minimum radius of fifty (50) feet.

SECTION 302.2(b): Land unsuited for development which would entail hazards to life, health or property or would be uneconomic to provide with public services shall not be subdivided.

ARTICLE IV - MINIMUM REQUIRED IMPROVEMENTS.

SECTION 410. IMPROVEMENTS, CERTIFICATION OR BOND.

SECTION 410.1. Performance Bond.

(a) As a guarantee that all improvements are completed as set forth in Article IV of these regulations it will be necessary to present a bond executed by a surety company approved by the Township Solicitor in an amount equal to one hundred ten (110%) percent of the estimated total cost of the proposed improvements prior to the start of any construction work and after recording of final plan. No bond is required where no public improvements are to be made.

(b) Said bond shall remain in effect until such time as the Township Engineer has certified that improvements have been completed in accordance with Township Regulations and Specifications.

(c) In the event the work is not performed in accordance with Township Regulations and Specifications or not completed, the Township shall proceed with work or restoration, and hold the owner and bonding company responsible for the cost thereof.

(d) In lieu of a bond, the subdivider or developer may deposit financial security in the form of cash, irrevocable letters of credit or securities acceptable to the Township in the amount of one hundred ten (110%) percent of the construction values, to be posted with a bonding company or

Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth. Such bond or other security shall provide for and secure to the public the completion of any improvements which may be required within one (1) year of the date fixed in the subdivision plat for completion of such improvements.

(e) In the event that the Board of Supervisors are satisfied that the subdivider or developer cannot obtain a performance bond or provide the cash, irrevocable letters of credit or securities as provided hereunder, the Board may allow the subdivider or developer to enter into an escrow agreement with the Township and the subdivider in the amount of one hundred ten (110%) percent of the construction values, whereby the funds to be loaned to the subdivider or developer shall be held in escrow by a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth, and not paid on behalf of the subdivider or developer except upon the issuance by the Township engineer of a Certificate of satisfactory completion of the work covered by the appropriate fund allocation. Said agreement shall be in the form prepared by the Township Solicitor.

SECTION 2. INCONSISTENT ORDINANCES REPEALED.

That Subsections 301.2 (e) and 302.2 (b) of Ordinance No. 108 of the Township of Ohio, enacted July 9, 1979, entitled "OHIO TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3.

The requirements of this Ordinance shall be applicable to all subdivisions approved before, but incomplete, as of the date hereof to the extent of all improvements and other public facilities remaining to be completed unless said requirements are covered by an agreement with the Board of Supervisors dated prior hereto.

SECTION 4. SAVINGS CLAUSE.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, or cited in SECTION 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

ORDAINED AND ENACTED into law this 11 day of

May, 1981.

ATTEST:

Joseph Jittart
Secretary

TOWNSHIP OF OHIO
BOARD OF SUPERVISORS

By Walter J. Stewart
Chairman